

# EXHIBIT

# 2

Hearing

Page 1

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

PHILLIPS, L.G., LCD CO., LTD, )  
 )  
 Plaintiffs, ) C.A. No. 04-343 (JJF)  
 )  
 v. )  
 )  
 TATUNG CO., TATUNG COMPANY OF )  
 AMERICA, INC., and VIEWSONIC )  
 CORPORATION, )  
 )  
 Defendants. )

Hearing of above matter taken pursuant to  
notice before Renee A. Meyers, Registered Professional  
Reporter and Notary Public, in the law offices of BLANK  
ROME, LLP, 1201 North Market Street, Wilmington,  
Delaware, on Friday, May 4, 2007, beginning at  
approximately 11:45 a.m., there being present:

BEFORE: HONORABLE VINCENT J. POPPITI, SPECIAL MASTER

APPEARANCES:

THE BAYARD FIRM  
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for Plaintiffs

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## Hearing

10 (Pages 34 to 37)

Page 34	Page 36
<p>1 issues that you had already asked us to supplement on.</p> <p>2 MS. HO: Your Honor, we do not agree</p> <p>3 that there was a prior agreement.</p> <p>4 SPECIAL MASTER POPPITI: I am sorry?</p> <p>5 MS. HO: We do not agree --</p> <p>6 SPECIAL MASTER POPPITI: I understand</p> <p>7 that.</p> <p>8 MS. HO: We do not agree that there was</p> <p>9 a prior agreement, at least in the way that</p> <p>10 Mr. Christenson is construing.</p> <p>11 SPECIAL MASTER POPPITI: Okay. Let's</p> <p>12 move on, then, please, if you would.</p> <p>13 Are we now at C?</p> <p>14 MR. CHRISTENSON: Yes, Your Honor. C</p> <p>15 relates to discovery that we are seeking from</p> <p>16 ViewSonic --</p> <p>17 SPECIAL MASTER POPPITI: Just a minute.</p> <p>18 I am moving papers around and I cut you off. Go ahead.</p> <p>19 MR. CHRISTENSON: I had sent a letter to</p> <p>20 counsel for ViewSonic, following up on some issues from</p> <p>21 our prior hearings, and I don't believe I have received a</p> <p>22 response back yet from -- to my letter, so I am not sure</p> <p>23 what the best way is to proceed on this issue.</p> <p>24 SPECIAL MASTER POPPITI: Mr. Merideth?</p>	<p>1 and I have gotten the testimony of them, and the</p> <p>2 testimony is that those documents were prepared</p> <p>3 specifically by the Howry firm for an interrogatory</p> <p>4 response and not documents that are maintained in the</p> <p>5 ordinary course of business.</p> <p>6 So we have, you know, a disconnect</p> <p>7 between what Mr. Christenson indicates the documents are</p> <p>8 and what the facts are relating to these documents and I</p> <p>9 think we have that problem on a couple of other</p> <p>10 circumstances he's asked about as well. I am happy to</p> <p>11 deal with it now, or we can deal with it off-line, Cass,</p> <p>12 if you want, or however you think it's appropriate.</p> <p>13 We seem to have this inability to match</p> <p>14 up the contentions that are made about our failure to</p> <p>15 produce discovery with the facts.</p> <p>16 MR. CHRISTENSON: Well, I don't agree</p> <p>17 with that, obviously. I think you mischaracterized what</p> <p>18 the documents are and what I stated I thought they would</p> <p>19 be, so, I haven't heard your position back yet in</p> <p>20 response to my April 24 letter until now. You know, if</p> <p>21 -- that's why I was originally just posing the question</p> <p>22 of whether I should proceed to run through these issues</p> <p>23 or if we should have further discussion, but --</p> <p>24 MR. MILLER: Let me address that, Your</p>
Page 35	Page 37
<p>1 ViewSonic, I am sorry.</p> <p>2 MR. MILLER: That would be Mr. Miller,</p> <p>3 Your Honor.</p> <p>4 SPECIAL MASTER POPPITI: Thank you,</p> <p>5 Mr. Miller.</p> <p>6 MR. MILLER: I am happy to just run</p> <p>7 through a couple of questions real quick that were the</p> <p>8 subject of the letter.</p> <p>9 SPECIAL MASTER POPPITI: And is this in</p> <p>10 the nature of your having a discussion with</p> <p>11 Mr. Christenson or is it something that I should be</p> <p>12 attending to today? I am happy to permit -- I am happy</p> <p>13 for that to occur if it advances the ball. Even if it</p> <p>14 doesn't advance the ball, at least tell us where the ball</p> <p>15 is.</p> <p>16 MR. MILLER: Sure. I think it would be</p> <p>17 -- some of the issues came up in the hearing, at the last</p> <p>18 hearing we had before Your Honor on April 13. For</p> <p>19 example, one of the sets of documents that</p> <p>20 Mr. Christenson has inquired about are documents that he</p> <p>21 indicated on the record were ViewSonic documents prepared</p> <p>22 in the ordinary course of business that reflected only</p> <p>23 U.S. sales, and he gave me some document control numbers</p> <p>24 from a prior litigation. I have gotten those documents</p>	<p>1 Honor, because I can read from the transcript of the</p> <p>2 April 13 hearing on this point.</p> <p>3 SPECIAL MASTER POPPITI: Why don't you</p> <p>4 point me to it, please.</p> <p>5 MR. MILLER: Page 191 of that hearing --</p> <p>6 SPECIAL MASTER POPPITI: Wait just a</p> <p>7 second. I am there, please.</p> <p>8 MR. MILLER: Starting at line three with</p> <p>9 Mr. Christenson speaking, and the -- I am happy to read</p> <p>10 the two paragraphs that exist there between line three</p> <p>11 extending down to line 24, but rather than burden the</p> <p>12 entire record here with it, what I would say is looking,</p> <p>13 in particular, starting at line 18 of that subsection,</p> <p>14 where it says, "What we are asking to compel are the</p> <p>15 documents that we believe exist, that have already done</p> <p>16 that, they are documents that ViewSonic has from the</p> <p>17 ordinary course of business that isolate shipments</p> <p>18 specifically within the U.S. and those are documents we</p> <p>19 obtained in the prior C.P.T. case in Delaware before</p> <p>20 Judge Farnan that went to trial last year."</p> <p>21 So I asked Mr. Christenson for the</p> <p>22 document control numbers on that and he gave them to me</p> <p>23 which were documents that the testimony that was given in</p> <p>24 the case that he referred to, the 05-292 case, were that</p>

## Hearing

11 (Pages 38 to 41)

Page 38	Page 40
<p>1 those were documents that were prepared by the Howry &amp;  2 Simon firm specifically from thumbing the information,  3 those that were the subject of Mr. Christenson's  4 discussion on the record at our April 13th hearing, are  5 not documents that are maintained in the ordinary course  6 of business.</p> <p>7 And, so, you know, we are in a situation  8 where the -- it's very frustrating, Your Honor, to be in  9 a situation where we are continually being -- having  10 issues arise like this on the record and then having to  11 respond to them.</p> <p>12 I think that this is just a classic  13 example of a situation where either the facts were not  14 checked before the assertion was made on the 13th, or,  15 you know, whatever. It's just a very difficult  16 situation.</p> <p>17 Other documents that were asked for,  18 documents that they contend that ViewSonic has that  19 identify mounting structures --</p> <p>20 MR. CHRISTENSON: Well, Your Honor, can  21 I respond, please? It's our --</p> <p>22 SPECIAL MASTER POPPITI: I am not sure  23 that it's very productive for me to listen to what you  24 have to say, again, based on the status as described. I</p>	<p>1 why I am asking you to do it off-line.</p> <p>2 MR. CHRISTENSON: That's fine, Your  3 Honor. I am happy to do that. I thought Mr. Miller  4 wanted to proceed. I am happy to do it off-line.</p> <p>5 SPECIAL MASTER POPPITI: Please do it  6 that way.</p> <p>7 We are to D, please.</p> <p>8 MR. CHRISTENSON: That's Tatung's  9 motion, Your Honor.</p> <p>10 SPECIAL MASTER POPPITI: And I see there  11 is continuing communication.</p> <p>12 Is that the status of that?</p> <p>13 MR. CHRISTENSON: The status is that I  14 did send a letter to counsel, I believe, last week,  15 giving the status update, and I can report that our  16 client has investigated and has -- is in the process of  17 sending to me any documents that might be responsive on  18 these issues, and I would then promptly review those and  19 produce any that are appropriate.</p> <p>20 SPECIAL MASTER POPPITI: Okay. Miss Ho,  21 I think you were about to say something.</p> <p>22 MS. HO: I was about to inform Your  23 Honor that we did receive a letter from  24 Mr. Christenson --</p>
Page 39	Page 41
<p>1 don't think it's fair for you to have to create a record  2 without my having been informed beforehand. It's just  3 not productive.</p> <p>4 MR. MILLER: We can do briefing if we  5 need to or address it off-line.</p> <p>6 SPECIAL MASTER POPPITI: I would prefer  7 you address it off-line, and if we need to develop it  8 further, we will wrap it into everything else that is  9 left undone today to be turned around in short order.</p> <p>10 MR. CHRISTENSON: That's fine. And I  11 would just, you know, suggest, with respect to  12 Mr. Miller's accusations about checking facts, I would  13 suggest he check all the relevant testimony and not  14 selected testimony.</p> <p>15 SPECIAL MASTER POPPITI: Well, those  16 comments are for your edification.</p> <p>17 MR. MILLER: I don't have all the  18 testimony. I only have the testimony that I can get from  19 prior counsel. I am happy to have Mr. Christenson give  20 me the testimony if there is other out there that makes  21 it seem different.</p> <p>22 MR. CHRISTENSON: You shouldn't make  23 accusations --</p> <p>24 SPECIAL MASTER POPPITI: Well, that's</p>	<p>1 SPECIAL MASTER POPPITI: Okay.</p> <p>2 MS. HO: -- providing a status as to the  3 document review and document production, so we are  4 continuing to try to work it out on that front.</p> <p>5 SPECIAL MASTER POPPITI: Okay. Good.  6 E, please.</p> <p>7 MR. CHRISTENSON: I think E might be  8 resolved. There were discussions -- I wasn't involved --  9 but there have been some discussions, I believe,  10 Mr. Merideth can correct me if he disagrees, but I think  11 there are some discussions that are ongoing trying to  12 work out the date for Mr. Linn's deposition, Your Honor.</p> <p>13 MR. MERIDETH: That's correct. We have,  14 as between counsel, agreed that June 12 would be the most  15 convenient date for the parties and the witness; however,  16 there is one caveat, and, that is, we have not been able  17 to contact Mr. Linn to confirm that to be the case. We  18 don't have any reason to believe that it will be a  19 problem.</p> <p>20 SPECIAL MASTER POPPITI: Okay.</p> <p>21 MR. CHRISTENSON: I think we will  22 continue discussing that, Your Honor. I don't think  23 there is any decision that needs to be made by you at  24 this time.</p>